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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/601,646	06/24/2003	William Penty Gooder	Q76281	1272
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SUGHRUE MION, PLLC			CHAMBERS, TROY	
2100 PENNSY SUITE 800	LVANIA AVENUE, N.W.		ART UNIT	PAPER NUMBER
WASHINGTO	N, DC 20037		3641	

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Examiner	<del></del>		Application No.	Applicant(s)				
Troy Chambers    Troy Chambers   S641	:	Office Action Comment	10/601,646	GOODER, WILLIAM PENTY				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A,SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extendence to the many to evaluate under the processor of 37 CPR 1.1860, in no evest, however, may a reply the birroly filed  1 NO period for reply is specified above, the maximum statutory period will apply send will expire SIX (5) MONTHS from the malling date of this communication.  1 Failute to trey which the set or excended pairs for report, will, by statute, cause the septication to become ARAPMOCHO (39 U.S. € 31 VI).  Any reply received by the Ciliar left into months after the making date of the communication, even if timuly filed, may reduce any sentence plants that englishment, 62 of 27 PC 1.74017.  Status  1) Responsive to communication(s) filed on	:	Office Action Summary	Examiner	Art Unit				
Period for Reply  A. SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extractions of time may be available under the provisions of 3T CPR 1.136(a). In not event, horovers, may a noisy be timely filled to 1 the No Period for reply is specified above, the maximum statutory period will apply and will explore the mailing date of his communication.  Failure to reply visibility the set or extended paide for reply will. by statute, cause the application to become ARANDORED (35 U.S.C. § 133). Any reply revealed by the Office will be then there on mind.  1   Responsive to communication(s) filled on	:							
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2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1 and 4-53 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) 1 and 4-53 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of Draftsperson's Patent Drawing Review (PTO-945)  3) Informalian Discolesure Statement(s) (PTO-1449 or PTO/58/08)  5) Notice of Informal Patent Application (PTO-152)	Status							
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Application/Control Number: 10/601,646 Page 2

Art Unit: 3641

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1, 4, 5, 8-13, 25 and 52, drawn to a weapon stock, classified in class 42, subclass 72.
  - II. Claims 26 and 53, drawn to a method of adapting a stock of a weapon having a firing assembly, a barrel and receiver, classified in class 42, subclass 75.02.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made without attaching it to a weapon stock having a barrel and a receiver because these elements are not positively recited. Moreover, the weapon stock of the product claim could be used in a device such as a crossbow.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

- 5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Troy Chambers whose telephone number is 571-272-6874. The examiner can normally be reached on 8 a.m. - 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on 703-308-5870. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Troy Chambers

Examiner

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12/10/05